

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Ramona LaRue, Inc. and Arianne Brown,	)	
	)	
Plaintiffs,	)	Civil Action No. 23-cv-16743
	)	
v.	)	
	)	
Roadget Business PTE. LTD. and	)	
Shein Distribution Corp.,	)	
	)	
Defendants.	)	

**COMPLAINT**

Plaintiffs, Ramona LaRue, Inc. and Arianne Brown, (“Ramona LaRue” or “Ms. Brown,” respectively; collectively “Plaintiffs”), by and through its undersigned attorneys, for its Complaint against Roadget Business PTE. LTD. (“Roadget”) and Shein Distribution Corp. (“SDC”) (collectively “Defendants”), herein allege:

**NATURE OF THE ACTION**

1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501 and right of publicity violations pursuant to Fla. Stat. § 540.08 against Defendants for unlawful use of Ramona LaRue’s photographs that depict Ms. Arianne Brown to promote sales of Ramona LaRue copycat products.

**JURISDICTION AND VENUE**

2. This Court has jurisdiction of Ramona LaRue’s federal claims pursuant to 28 U.S.C. § 1331 and 1338(a) and state law claims pursuant to 28 U.S.C. § 1367.

3. Upon information and belief, Defendant Roadget owns the website located at <https://us.shein.com> and Defendant SDC offers and sells the goods listed on <https://us.shein.com>. Defendants specifically target residents in this judicial district by offering to sell and, upon

information and belief, shipping products offered with Plaintiffs' intellectual property to residents within the Northern District of Illinois, by displaying infringing imagery and using a photograph and likeness of Ms. Brown in the product listings and using Plaintiff's copyrighted material in product listings appearing on <https://us.shein.com>. Thus, Defendants are committing copyright infringement and violating Ms. Brown's right of publicity in this district.

4. Venue in the Northern District of Illinois is proper pursuant to 28 U.S.C. § 1391 because a substantial part of the events that give rise to the claim occur within this District, Defendants have committed acts of infringement and violations of Ms. Brown's right of publicity in and has significant contacts within this District, and Defendants are displaying infringing imagery on its website and in its product listings targeted at this District and/or are using, selling, or offering to sell the products promoted with the asserted copyrighted material and displaying the photographs and likeness of Ms. Brown in this District. In addition, on information and belief, Defendant Roadget is a foreign entity and "a defendant not resident in the United States may be sued in any judicial district . . . ." 28 U.S.C. § 1391(c)(3).

### **PARTIES**

#### **Ramona LaRue**

5. Ramona LaRue is a corporation organized and existing under the laws of the State of Florida, having its principal place of business at 3400 N. Miami Ave., Miami, Florida 33127.

6. Arianne Brown is an individual that resides in Florida.

7. The Ramona LaRue products depicted in the photographs that are the subject of this Complaint are original, limited edition wearable works of art, personally designed and originally hand painted by the owner of Ramona LaRue, Arianne Brown. Each of Ms. Brown's paintings

contain her signature and are digitally transferred on to high quality materials such as satin, crepe de chine, or chiffon, made into kaftans, dresses, and the like.

8. Ms. Brown has modeled for many years. For example, Ms. Brown was previously managed by Michele Pommier Model Management, the first modeling agency in Miami Beach, Florida, and by Ford Models, one of the most preeminent model management companies in the world. Exemplary images of Ms. Brown's prior modeling work both domestically and internationally are shown below:



9. Ms. Brown has built value stemming from the goodwill and reputation she has established from her modeling career, which she has and continues to carefully consider in selecting for whom or what brands she will model.

10. Ms. Brown personally models each work of art sold under the Ramona LaRue brand, examples of which are shown below:



11. The Ramona LaRue products are distributed and sold to consumers throughout the United States, including in Illinois, through Ramona LaRue’s official website, <http://www.ramonalarue.com> (“the Ramona LaRue Website”).

12. Ramona LaRue has offered its Ramona LaRue merchandise on the Ramona LaRue Website since approximately 2009.

13. Ramona LaRue also owns and operates its Facebook account, @ramonalaruebyarianne (<https://www.facebook.com/ramonalaruebyarianne/>) which has over 6,000 followers, and Instagram account @ramonalarue (<https://www.instagram.com/ramonalarue/?hl=en>) which has over 46,000 followers (the “Social Media Accounts”). The hashtag #ramonalarue has over 3,800 tags on Instagram, tagged on posts of imagery featuring Ramona LaRue merchandise.

14. Both the Ramona LaRue website and Social Media Accounts feature proprietary content, including Plaintiff’s copyrighted imagery subject to the copyright registrations asserted herein, created, owned, and used by Ramona LaRue exclusively for the purpose of marketing and selling its genuine Ramona LaRue merchandise to consumers.



15. The following chart lists the registered copyrights asserted by Ramona LaRue in this action (the “Ramona LaRue Copyrights”), the visual materials subject thereto are referred to as the “Copyrighted Material”:

Title	Status	Type	Registration Number	Date of Creation	Reg. Date
Ramona Larue 2018-2020 Misc. Published photos. [Group registration of published photographs. 108 photographs. 2018-02-01 to 2018-12-30]	Registered	Visual Material	VA0002311820	2018	7/22/2022
Ramona Larue Riri Collection 2018 Published Photos. [Group registration of published photographs. 13 photographs. 2018-02-01 to 2018-02-28]	Registered	Visual Material	VA0002311821	2018	7/22/2022
Ramona Larue May 2020 Published Photos. [Group registration of published photographs. 71 photographs. 2020-05-01 to 2020-12-31]	Registered	Visual Material	VA0002311884	2020	7/25/2022
Ramona LaRue 2021 Published Photos. [Group registration of published photographs. 419 photographs. 2021-01-01 to 2021-12-31]	Registered	Visual Material	VA0002303096	2021	5/2/2022
Ramona Larue Copyright 2021 Last Batch. [Group registration of published photographs. 217	Registered	Visual Material	VA0002313258	2021	7/29/2022

photographs. 2021-06-01 to 2021-12-31]						
Ramona Larue New Folder 2021. [Group registration of published photographs. 61 photographs. 2021-01-15 to 2021-08-31]	Registered	Visual Material	VA0002317270	2021	8/25/2022	
Ramona Larue 2022 Published Photos. [Group registration of published photographs. 403 photographs. 2022-01-01 to 2022-04-30]	Registered	Visual Material	VA0002298867	2022	5/4/2022	
Ramona Larue June 2022 Published Photos. [Group registration of published photographs. 120 photographs. 2022-06-01 to 2022-06-30]	Registered	Visual Material	VA0002307258	2022	6/30/2022	
Ramona Larue Copyright March 2023. [Group registration of published photographs. 381 photographs. 2023-01-05 to 2023-03-27]	Registered	Visual Material	VA0002344082	2023	3/28/2023	
Copyright Bird of Paradise 2023. [Group registration of published photographs. 244 photographs. 2023-02-03 to 2023-03-01]	Registered	Visual Material	VA0002340705	2023	3/2/2023	
Copyright April 2023. [Group registration of published photographs. 45 photographs. 2023-04-01 to 2023-04-30]	Registered	Visual Material	VA0002349605	2023	5/1/2023	

Attached hereto as Exhibit 1 are true and correct copies of the copyright registrations along with exemplary deposit copies of the respective Copyrighted Material being asserted in this matter.

16. The Ramona LaRue Copyrights are original works of authorship created and owned by Ramona LaRue.

17. The registrations for the Ramona LaRue Copyrights are valid, subsisting, and in full force and effect.

18. The Ramona LaRue merchandise has also been the subject of publicity resulting from its creative hand-painted original works of wearable art.

19. Among the coverage are the following publications that have featured Ramona LaRue:

- Haute Living, “Meet Arianne Brown, the Brains and Beauty Behind Ramona Larue” (<https://hauteliving.com/2013/10/meet-arianne-brown-brains-beauty-behind-ramona-larue/402849/>)
- The Telegraph, “Where to shop in Miami, from high fashion to vintage vinyl” (<https://www.telegraph.co.uk/travel/destinations/north-america/united-states/florida/miami/articles/miami-shopping/>)
- Mansion Global, “Coconut Grove, a Miami Neighborhood That Feels Like a ‘Small Town With a Big-City Vibe’” (<https://www.mansionglobal.com/articles/coconut-grove-a-miami-neighborhood-that-feels-like-a-small-town-with-a-big-city-vibe-206616>)
- Channel 7 News Miami, “Arianne Brown designs hand-painted resort wear for Ramona LaRue Collection” (<https://wsvn.com/entertainment/arianne-brown-designs-hand-painted-resort-wear-for-ramona-larue-collection/>)

- The Daily Mail, referencing the Ramona LaRue kaftan worn by Dakota Fanning (<https://www.dailymail.co.uk/tvshowbiz/article-10262633/Dakota-Fanning-shares-glimpse-sunny-beach-break-Capri.html>)

20. In view of Plaintiff's efforts to create unique prints for wearable works of art and the resulting response of the marketplace to the Ramona LaRue merchandise, the Ramona LaRue Copyrighted Material has become known throughout the United States, uniquely signifying to consumers that the products come from Plaintiff.

21. Because the Ramona LaRue merchandise has become popular and the Ramona LaRue Copyrighted Material are recognized by consumers, the Ramona LaRue product has been subject to widespread infringing products utilizing the Copyrighted Material both in advertisements for and on clothing items of significantly lower quality. Similarly, because Plaintiff uses its Ramona LaRue Copyrighted Material in its legitimate advertisements and product listings for genuine Ramona LaRue products, Defendants have also used the copyrighted photography in an effort to deceive consumers into believing the products offered by Defendants are genuine.

*The Defendants*

22. On information and belief, Defendant Roadget is a private limited company organized under the law of the country of Singapore and owns the website located at <https://us.shein.com> (the "Website").

23. Upon information and belief, Defendant SDC offers and sells the goods listed on <https://us.shein.com>.

24. On information and belief, Defendants conduct business in the United States, including within Illinois, through operation of the interactive, online website <http://www.us.shein.com>, which in turn hosts product listings displaying the Copyrighted

Material and using photographs of and Ms. Brown's likeness to promote and advertise for sale non-genuine, illegitimate, and copycat imitations of Ramona LaRue products and the associated services offered under the Website.

### **DEFENDANTS' UNLAWFUL CONDUCT**


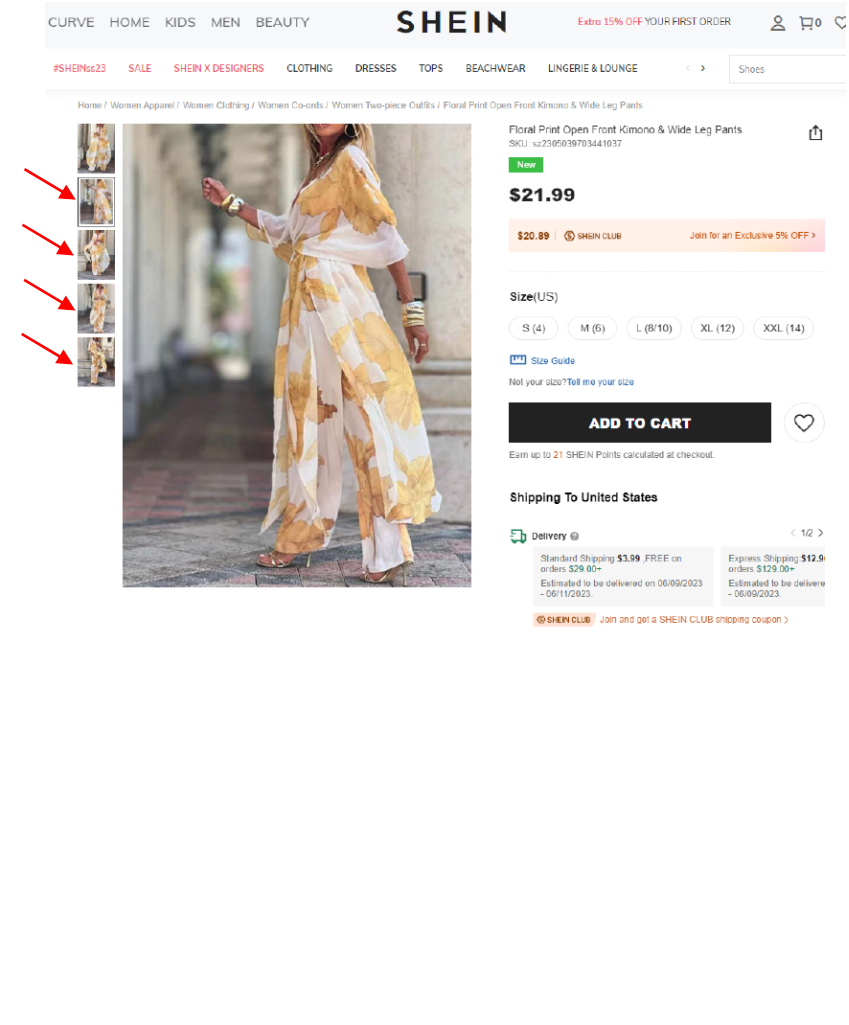
25. On information and belief, Defendants accessed the Ramona LaRue Copyrighted Material depicting Ms. Brown via Ramona LaRue's website or Social Media Accounts.

26. Defendants intentionally deceive and mislead consumers into believing that the Website and Defendants are authorized to use the Copyrighted Material, photographs and the likeness of Ms. Brown, and offer bona fide Ramona LaRue products. The Website, product listings, and promotions have used the Ramona LaRue Copyrighted Material, photographs and the likeness of Ms. Brown without Plaintiffs' permission. The content of the Website and product listings therein are designed to make it difficult for consumers to detect that the Website and product listings bear unauthorized copies of the Copyrighted Material and that Defendants' use of photographs and the likeness of Ms. Brown is unauthorized.

27. Defendants have displayed, distributed, reproduced, and created derivative works of the Ramona LaRue Copyrighted Material without authorization. Defendants use the Copyrighted Material in an effort to mislead consumers into believing the goods the Defendants display and offer for sale are legitimate goods because these images also appear on Ramona LaRue's official website and social media accounts.

28. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-349-605, with the sale and

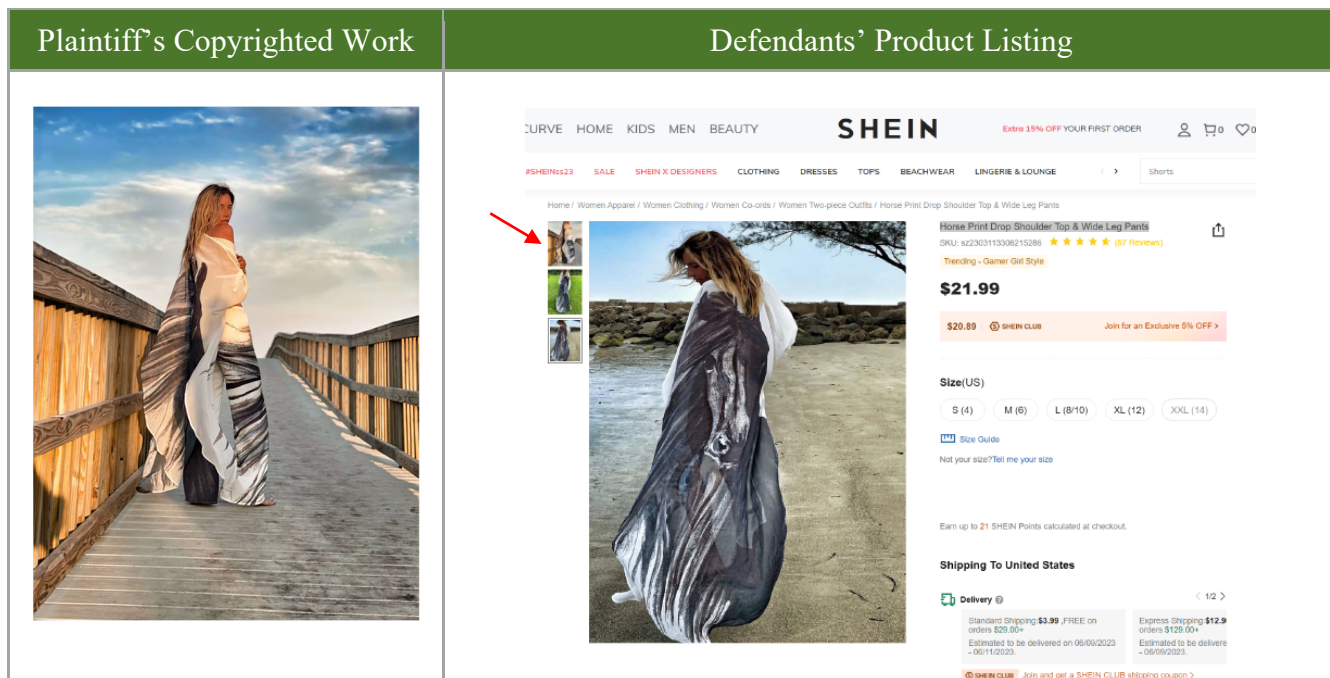
distribution of “Floral Print Open Front Kimono & Wide Leg Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff's Copyrighted Work	Defendants' Product Listing
	






29. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue or Ms. Brown, Defendants have directly reproduced, distributed, and displayed the copyrighted image shown below, covered by U.S. Copyright Registration VA 2-303-096, with the sale and distribution of “Horse Print Drop Shoulder Top & Wide Leg Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:



30. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, created derivative works, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-311-820 and U.S. Copyright Registration VA 2-313-258, with the sale and distribution of “Animal Print Split Hem Coat & Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff's Copyrighted Work






Defendants' Product Listing

CURVE HOME KIDS MEN BEAUTY

SHEIN



Free Returns in the U.S.



#SHEINs23 SALE SHEIN X DESIGNERS CLOTHING DRESSES TOPS BEACHWEAR LINGERIE & LOUNGE

Shoes

Home / Women Apparel / Women Clothing / Women Co-ords / Women Two-piece Outfits / Animal Print Split Hem Coat & Pants




Animal Print Split Hem Coat & Pants

SKU: sz2305042205222854

Now

\$21.99

\$20.89  Join for an Exclusive 5% OFF >

Size(US)


S (4)

M (6)

L (8/10)

XL (12)



XXL (14)

 Size Guide

Not your size? Tell me your size

Earn up to 21 SHEIN Points calculated at checkout.

Shipping To United States


 Delivery 

Standard Shipping \$3.99, FREE on orders \$29.00+

Estimated to be delivered on 06/09/2023 - 06/11/2023.


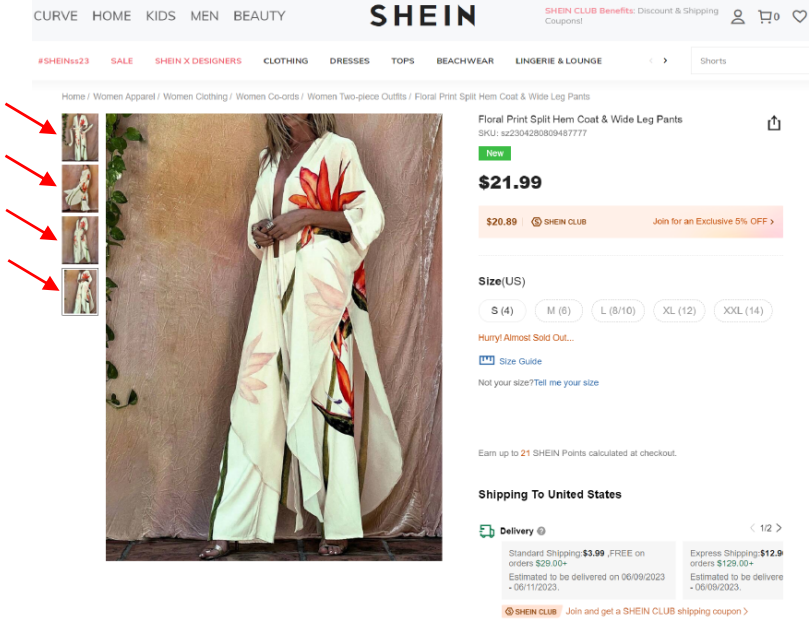
Express Shipping \$12.99 on orders \$129.00+

Estimated to be delivered - 06/09/2023.

 Join and get a SHEIN CLUB shipping coupon >

31. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted


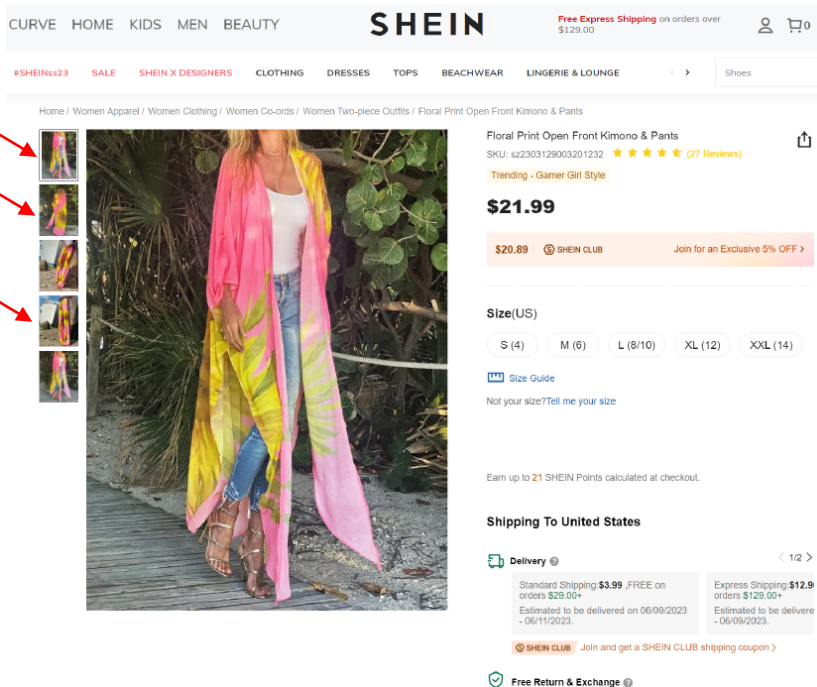
images shown below, covered by U.S. Copyright Registration VA 2-340-705, with the sale and distribution of “Floral Print Split Hem Coat & Wide Leg Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff's Copyrighted Work	Defendants' Product Listing
	





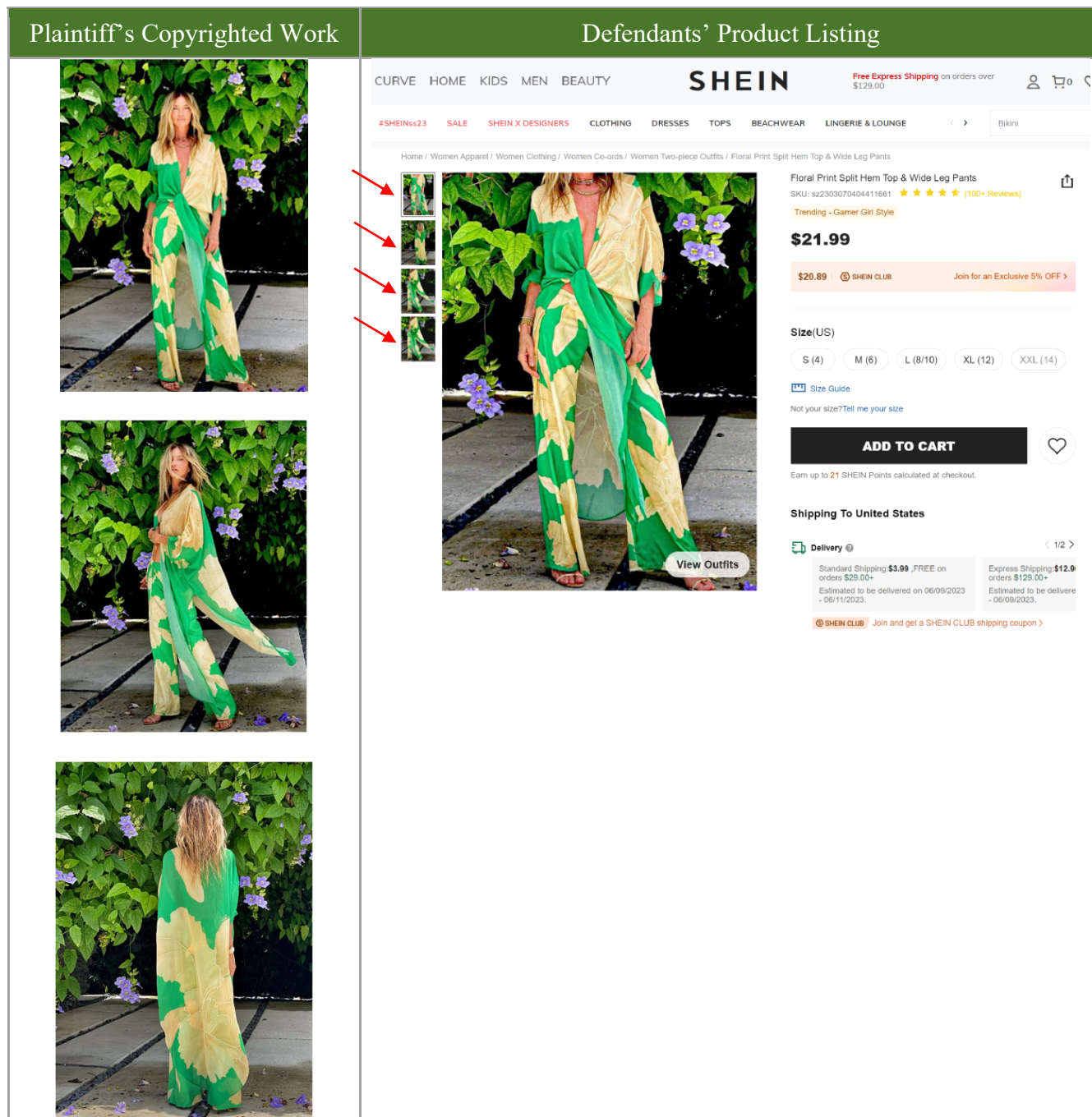
32. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-313-258 and U.S. Copyright Registration VA 2-317-270, with the sale and distribution of “Floral Print Open Front Kimono & Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff's Copyrighted Work	Defendants' Product Listing
	

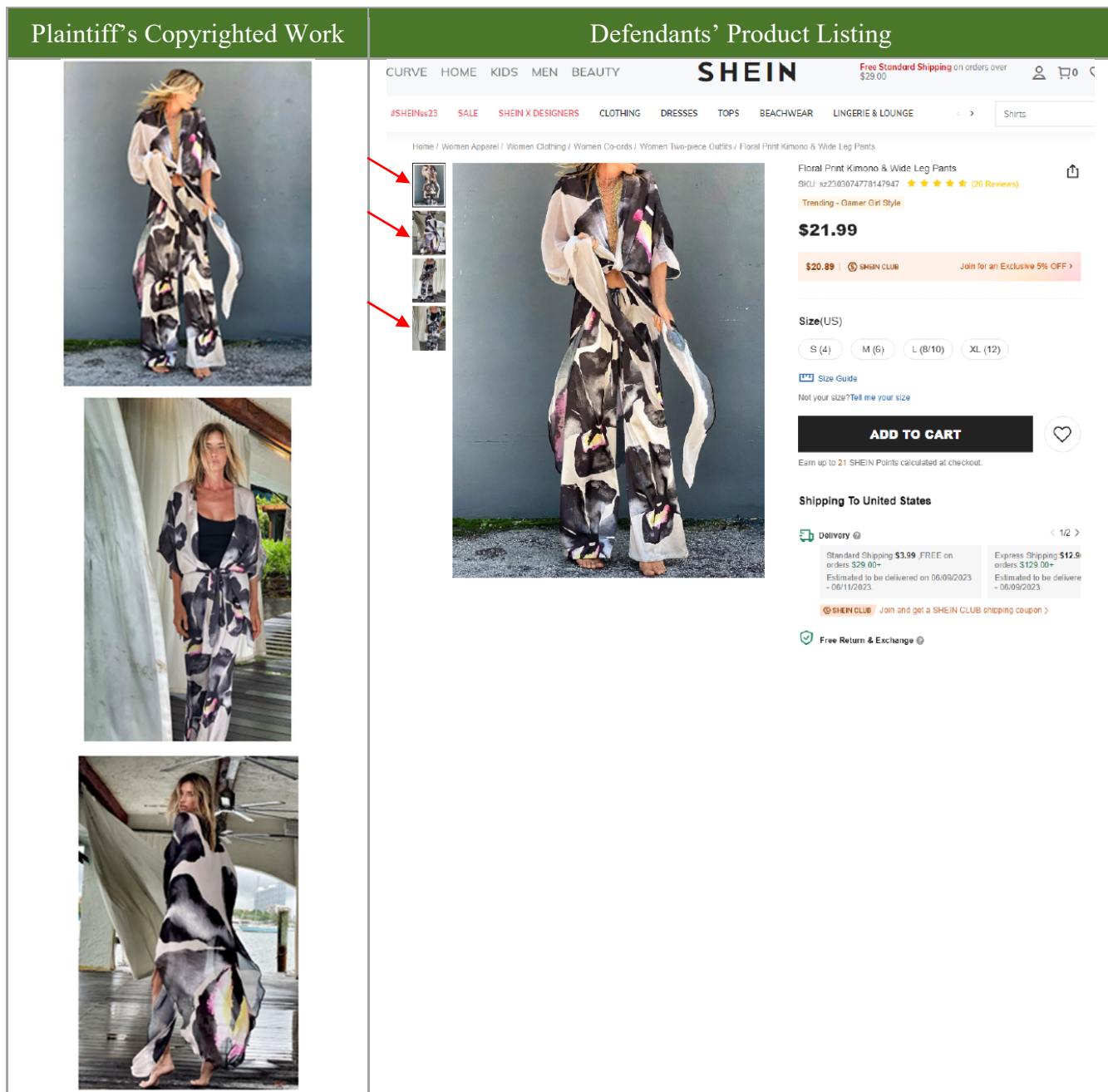


33. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-303-096, with the sale and distribution of “Floral Print Split Hem Top & Wide Leg Pants” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:




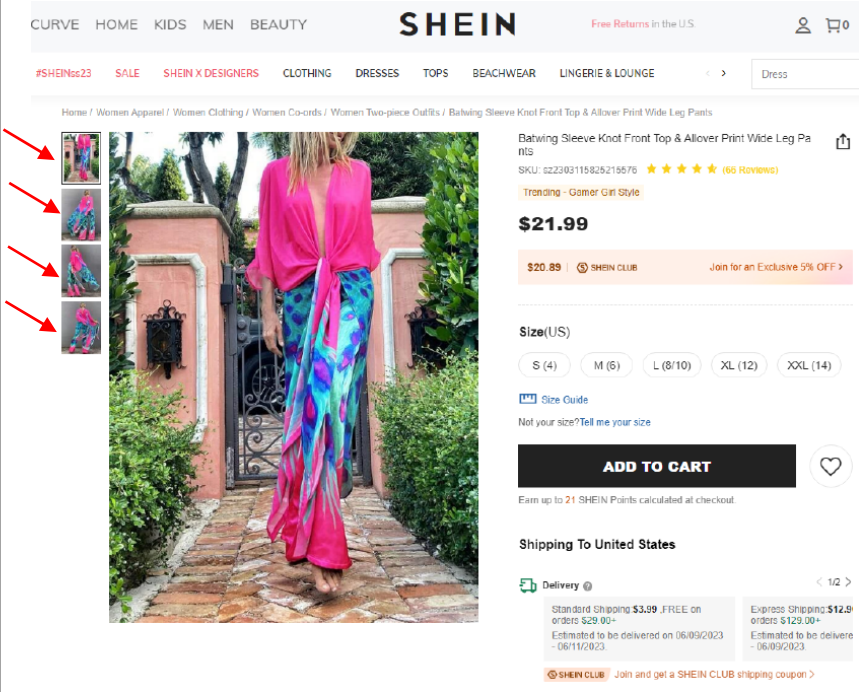


34. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-313-258, with the sale and distribution of "Floral Print Kimono & Wide Leg Pants." A comparison of the copyrighted material and Defendants' product listing (attached as Exhibit 2) is shown below:

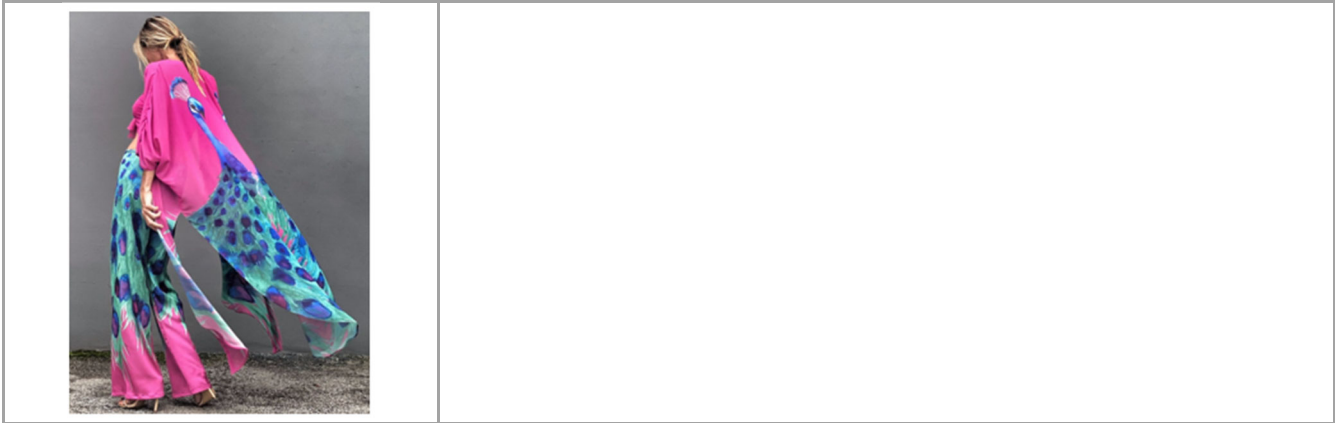


35. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-311-884 and U.S. Copyright Registration VA 2-313-258, with the sale and distribution of “Batwing Sleeve Knot Front Top &



Allover Print Wide Leg Pants” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff’s Copyrighted Work	Defendants’ Product Listing
	



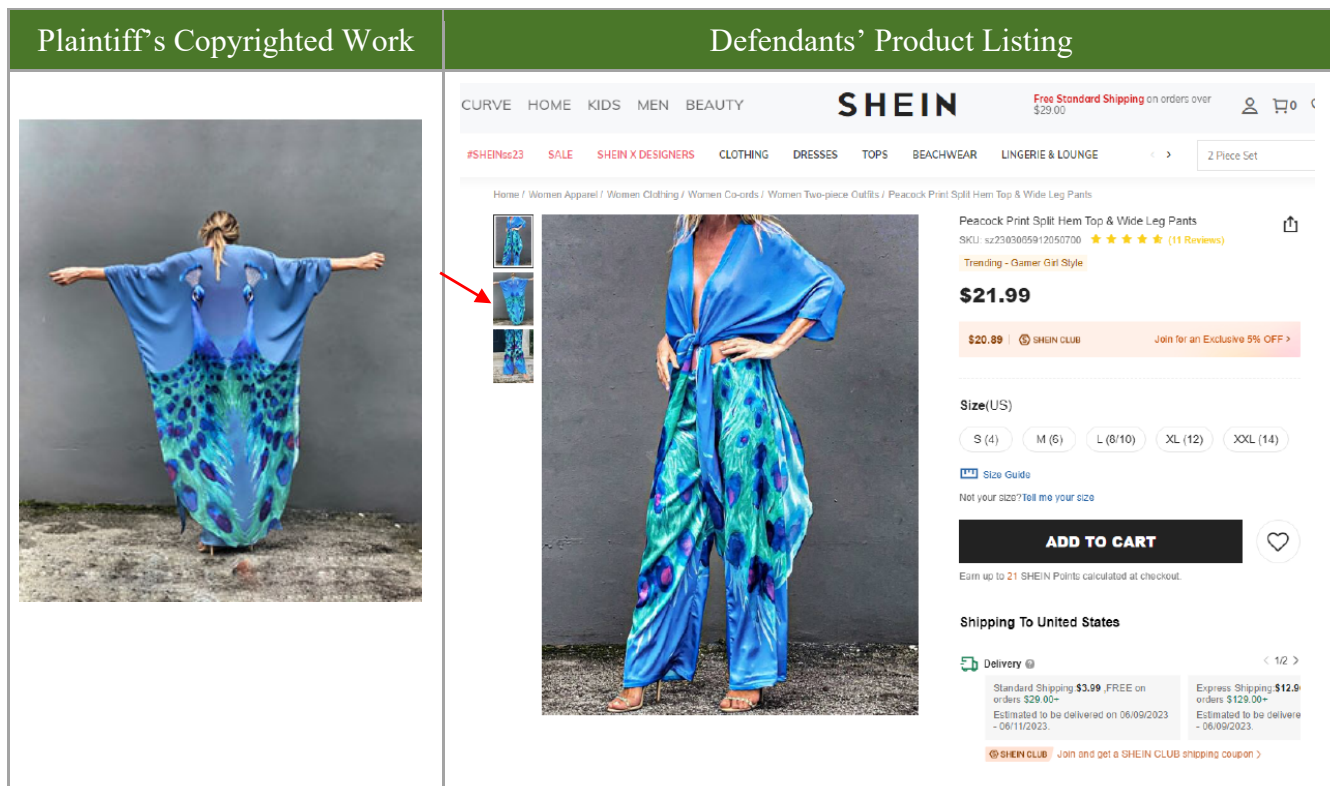


36. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-307-258, with the sale and distribution of “Bird Print Batwing Sleeve Kimono & Drawstring Waist Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff’s Copyrighted Work	Defendants’ Product Listing
	




37. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-311-884, with the sale and distribution of “Peacock Print Split Hem Top & Wide Leg Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:



38. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, created derivative works and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-313-258, with the sale and distribution of “Allover Print Batwing Sleeve Coat & Wide Leg Pants” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:



Plaintiff's Copyrighted Work



Defendants' Product Listing


CURVE HOME KIDS MEN BEAUTY







SHEIN

SHEIN CLUB Benefits: Discount & Shipping Coupons!

#SHEINoc23 SALE SHEIN X DESIGNERS CLOTHING DRESSES TOPS BEACHWEAR LINGERIE & LOUNGE

Home / Women Apparel / Women Clothing / Women Co-ords / Women Two-piece Outfits / All-over Print Batwing Sleeve Coat & Wide Leg Pants





Allover Print Batwing Sleeve Coat & Wide Leg Pants

SKU: sz2303078446178105

★ ★ ★ ★ ★ (100+ Reviews)

\$21.99

\$20.89 | SHEIN CLUB Join for an Exclusive 5% OFF >

Color: Yellow

Size(US)

S (4) M (6) L (8/10) XL (12) XXL (14)

Size Guide

Not your size? Tell me your size

ADD TO CART


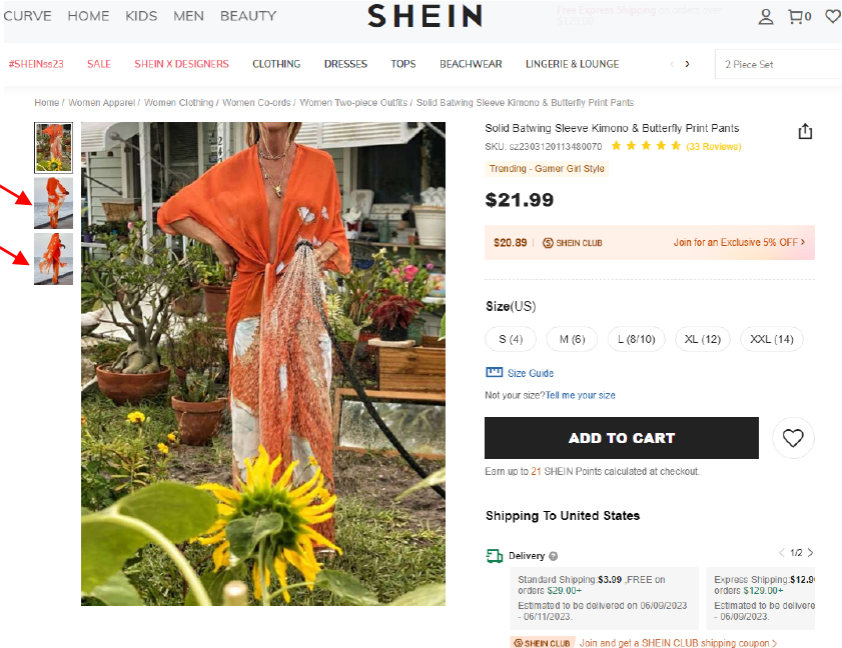
Shipping To United States

Delivery

23


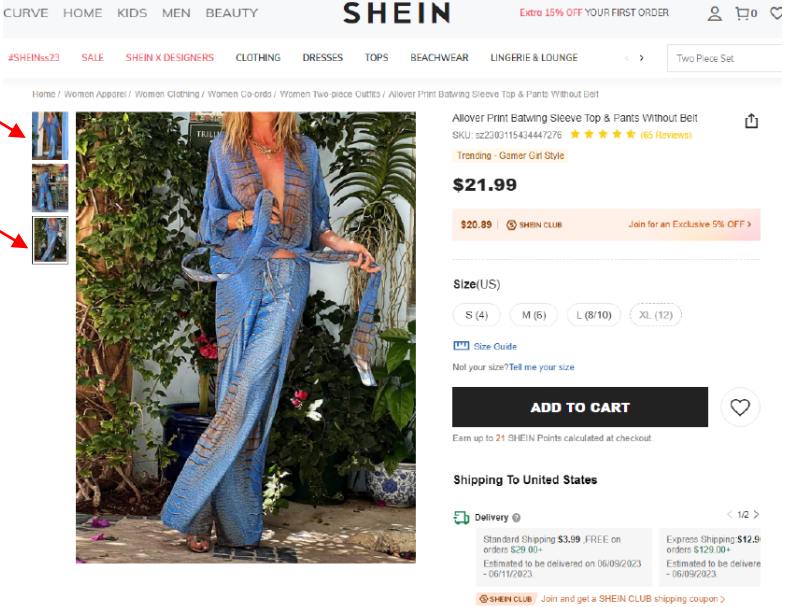


39. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-303-096 and U.S. Copyright Registration VA 2-313-258, with the sale and distribution of “Solid Batwing Sleeve Kimono & Butterfly Print Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

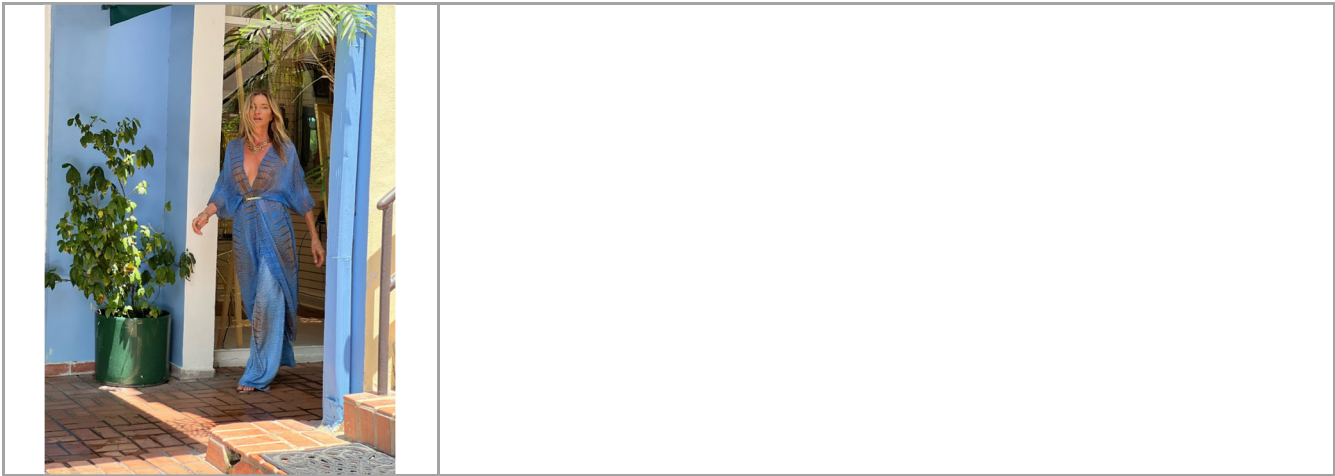
Plaintiff’s Copyrighted Work	Defendants’ Product Listing
	




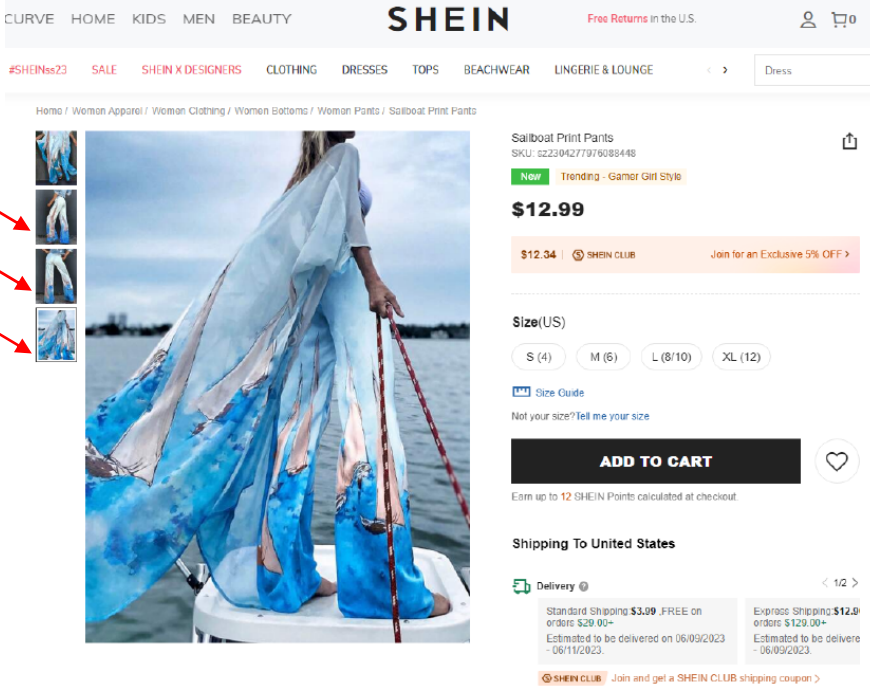
40. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-307-258 , with the sale and distribution of “Allover Print Batwing Sleeve Top & Pants Without Belt.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff's Copyrighted Work	Defendants' Product Listing
	






41. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-313-258, with the sale and distribution of “Sailboat Print Pants.” A comparison of the copyrighted material and Defendants’ product listing is below (attached as Exhibit 2) is shown below:

Plaintiff’s Copyrighted Work	Defendants’ Product Listing
	

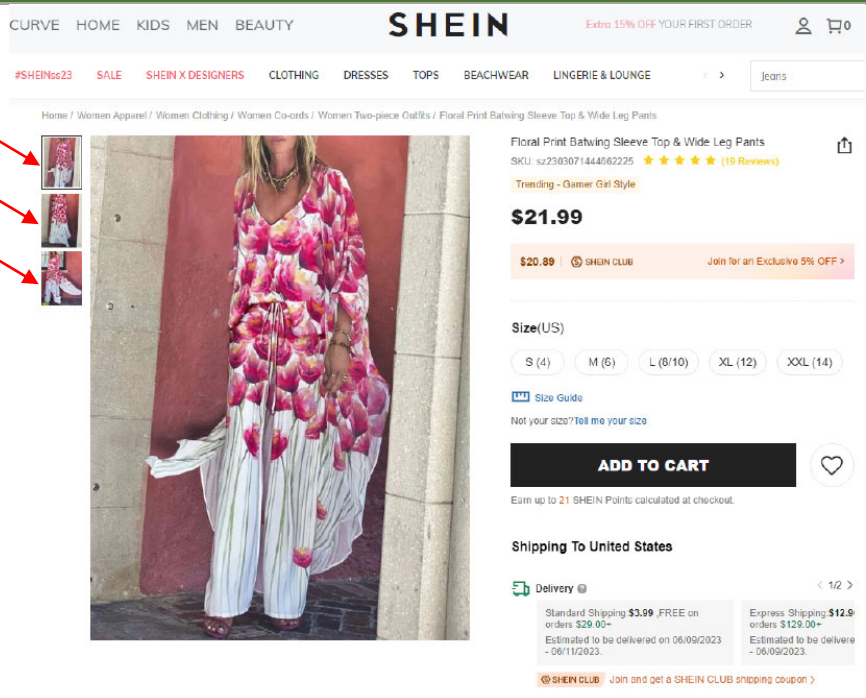


42. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-298-867, with the sale and distribution of “Floral Print Batwing Sleeve Top & Wide Leg Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff's Copyrighted Work





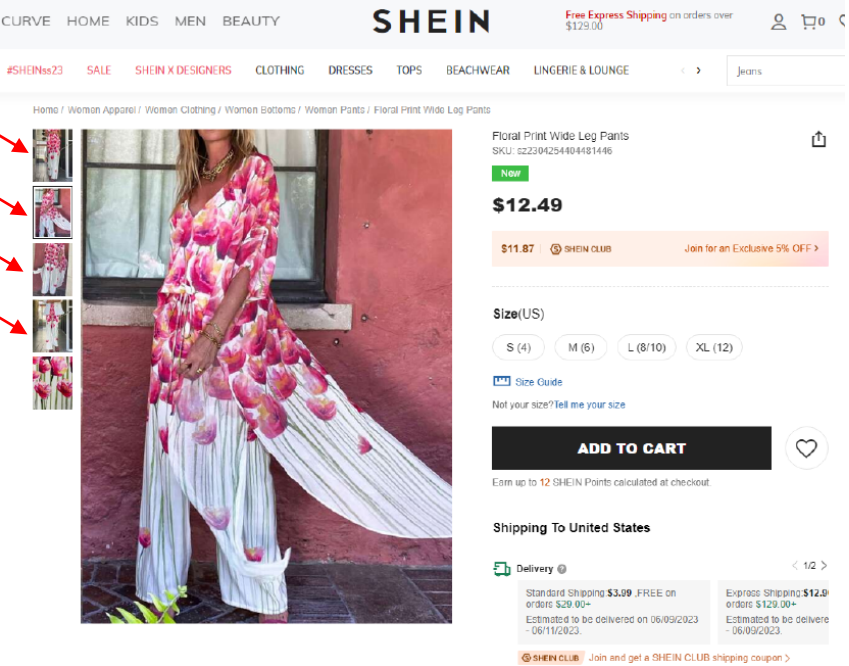
Defendants' Product Listing

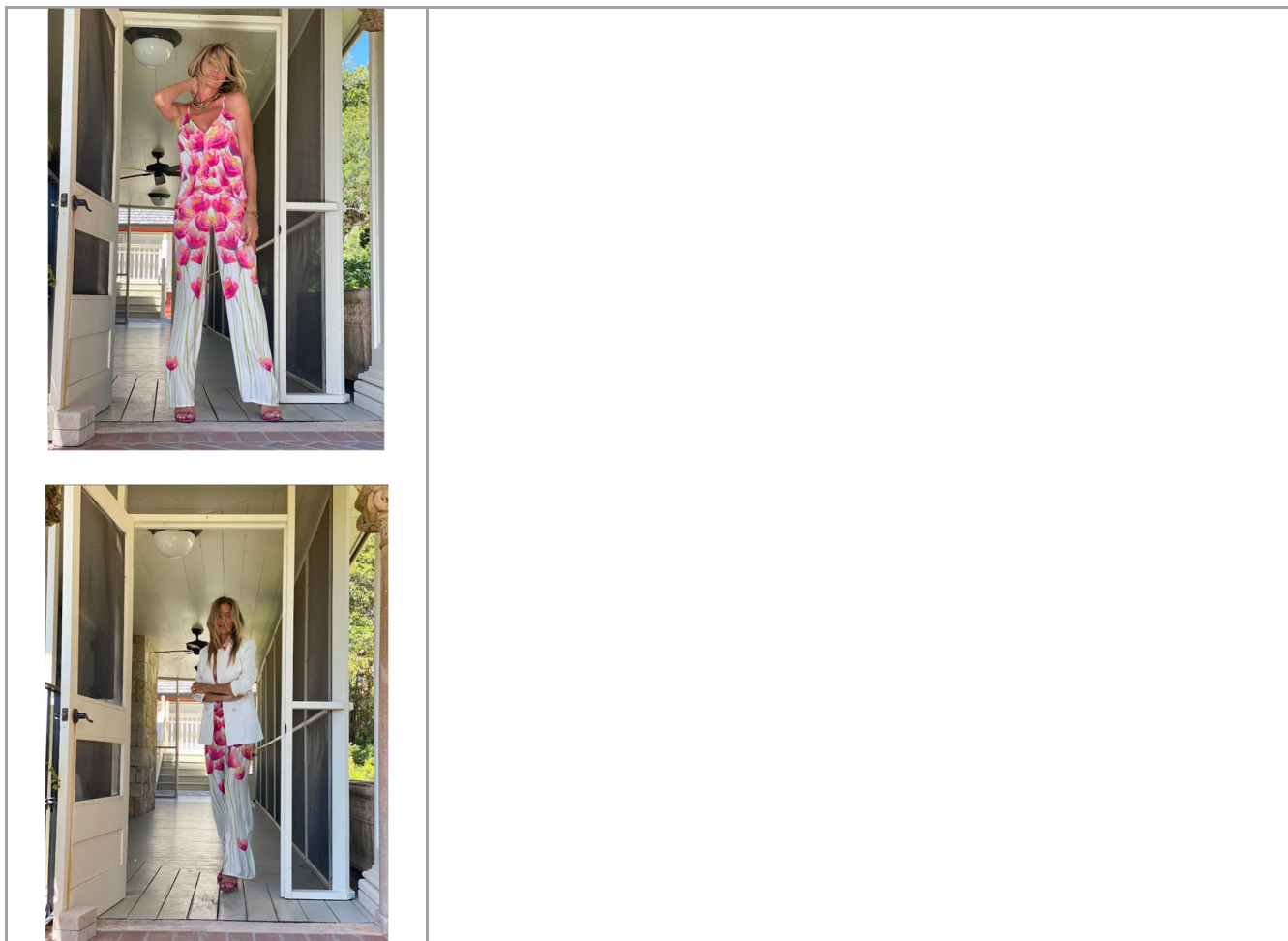


43. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted

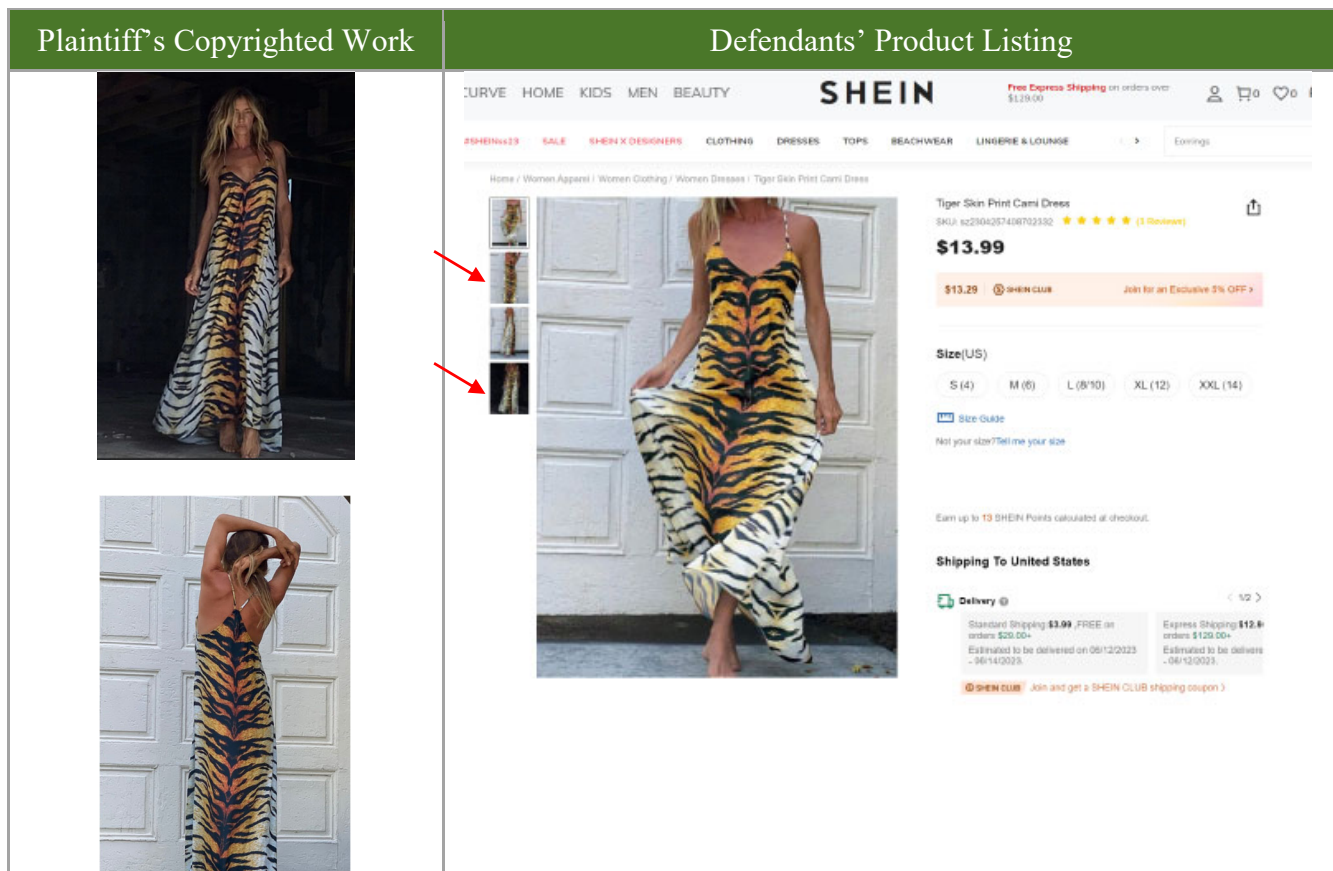


images shown below, covered by U.S. Copyright Registration VA 2-298-867, with the sale and distribution of “Floral Print Wide Leg Pants.” A comparison of the copyrighted material and Defendants’ product listing is below and attached as Exhibit 2:

Plaintiff’s Copyrighted Work	Defendants’ Product Listing
 	 <p><b>SHEIN</b> Free Express Shipping on orders over \$129.00</p> <p>#SHEINs23 SALE SHEIN X DESIGNERS CLOTHING DRESSES TOPS BEACHWEAR LINGERIE &amp; LOUNGE Jeans</p> <p>Home / Woman Apparel / Woman Clothing / Women Bottoms / Woman Pants / Floral Print Wide Leg Pants</p> <p>Floral Print Wide Leg Pants SKU: 622304294404418146</p> <p><b>Now \$12.49</b></p> <p><del>\$11.87</del> SHEIN CLUB Join for an Exclusive 5% OFF &gt;</p> <p>Size(US) S (4) M (6) L (8/10) XL (12)</p> <p>Size Guide Not your size? Tell me your size</p> <p><b>ADD TO CART</b></p> <p>Earn up to 12 SHEIN Points calculated at checkout.</p> <p>Shipping To United States</p> <p>Delivery @</p> <p>Standard Shipping \$3.99, FREE on orders \$20.00+ Estimated to be delivered on 06/09/2023 - 06/11/2023.</p> <p>Express Shipping \$12.99, orders \$120.00+ Estimated to be delivered - 06/09/2023.</p> <p>SHEIN CLUB Join and get a SHEIN CLUB shipping coupon &gt;</p>




44. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-317-270, with the sale and distribution of “Tiger Skin Print Cami Dress.” A comparison of the copyrighted material and Defendants’ product listing is below (attached as Exhibit 2) is shown below:



45. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-317-270, with the sale and distribution of “Animal Print Cami Dress.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff's Copyrighted Work



Defendants' Product Listing



RVE HOME KIDS MEN BEAUTY

SHEIN

Free Express Shipping on orders over \$129.00

4EIN2s23 SALE SHEIN X DESIGNERS CLOTHING DRESSES TOPS BEACHWEAR LINGERIE & LOUNGE

Home / Women Apparel / Women Clothing / Women Dresses / Animal Print Cami Dress



Animal Print Cami Dress  
SKU: sz230425850862255 ★★★★★ (3 Reviews)

\$13.49

\$12.82 SHEIN CLUB Join for an Exclusive 5% OFF >

Size(US)  
S (4) M (6) L (8/10) XL (12) XXL (14)

Size Guide  
Not your size? Tell me your size

Earn up to 13 SHEIN Points calculated at checkout.

Shipping To United States

Delivery  
Standard Shipping \$3.99, FREE on orders \$29.00+  
Estimated to be delivered on 06/12/2023 - 06/14/2023.  
Express Shipping \$12.9  
orders \$129.00+  
Estimated to be delivered on 06/12/2023.


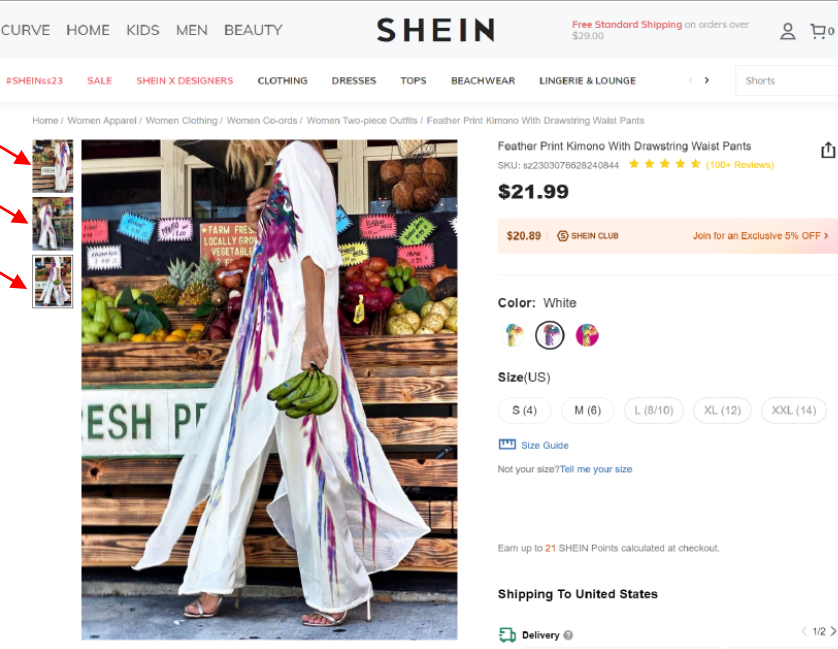
SHEIN CLUB Join and get a SHEIN CLUB shipping coupon >

Free Return & Exchange

46. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, created derivative works, and



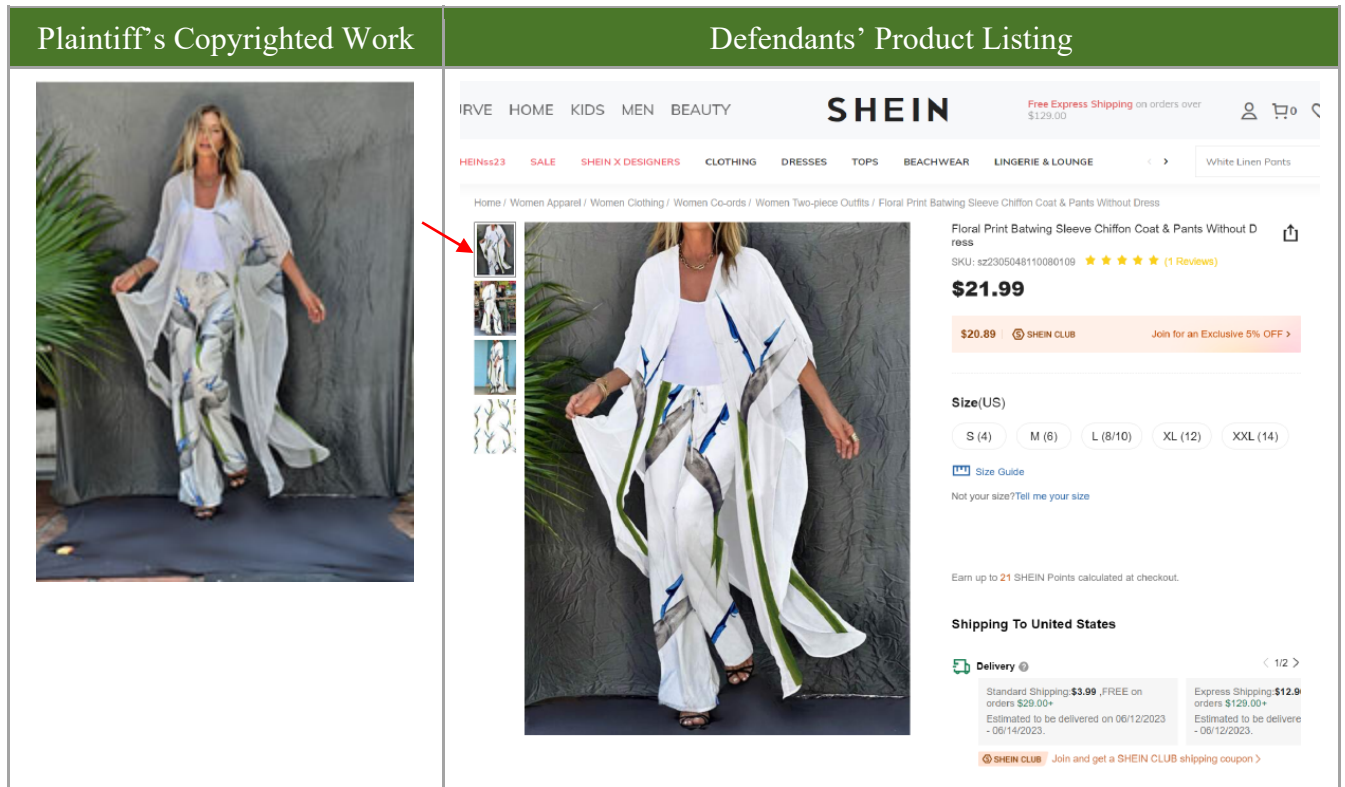
displayed the copyrighted images shown below, covered by U.S. Copyright VA 2-313-258, with the sale and distribution of “Feather Print Kimono With Drawstring Waist Pants.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

Plaintiff's Copyrighted Work	Defendants' Product Listing
	

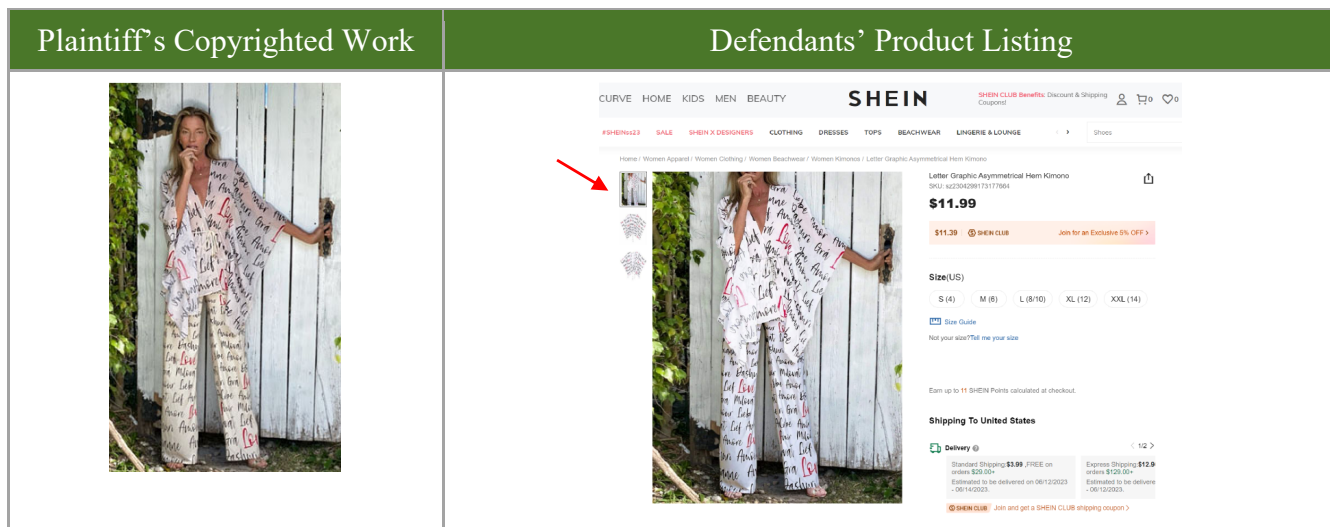
47. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted



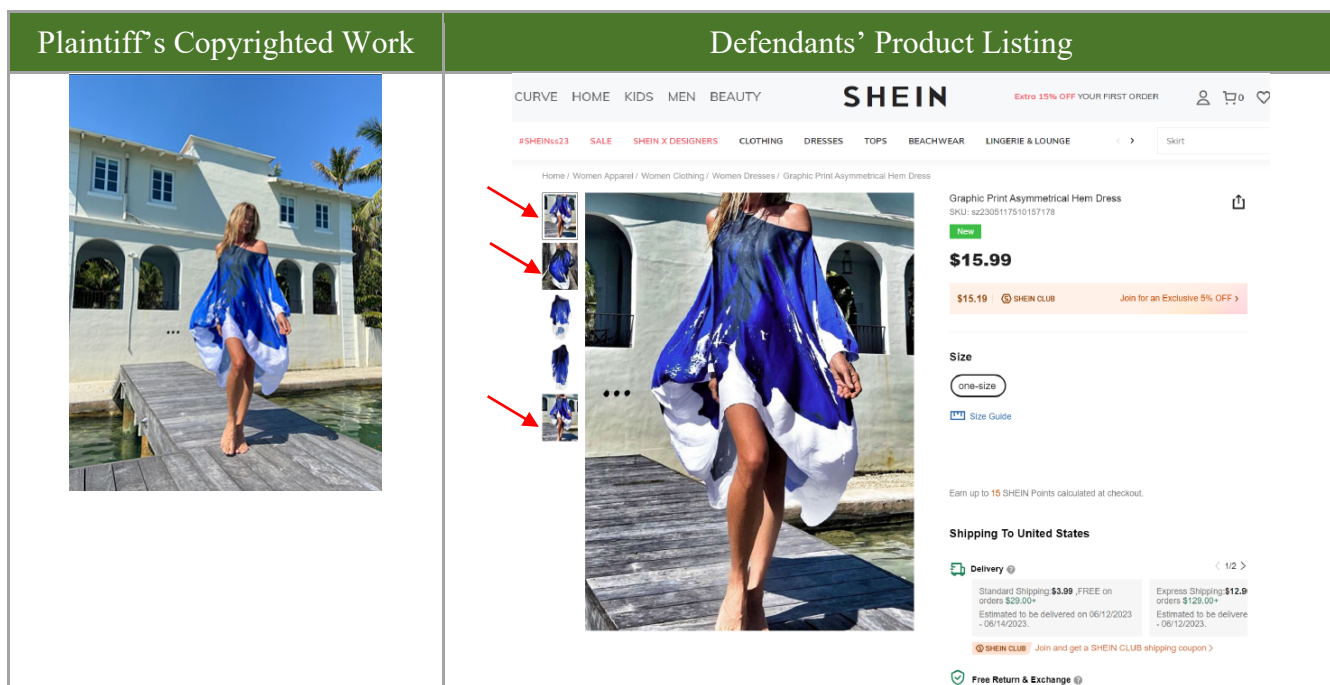
image shown below, covered by U.S. Copyright Registration VA 2-344-082, with the sale and distribution of “Floral Print Batwing Sleeve Chiffon Coat & Pants Without Dress.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:

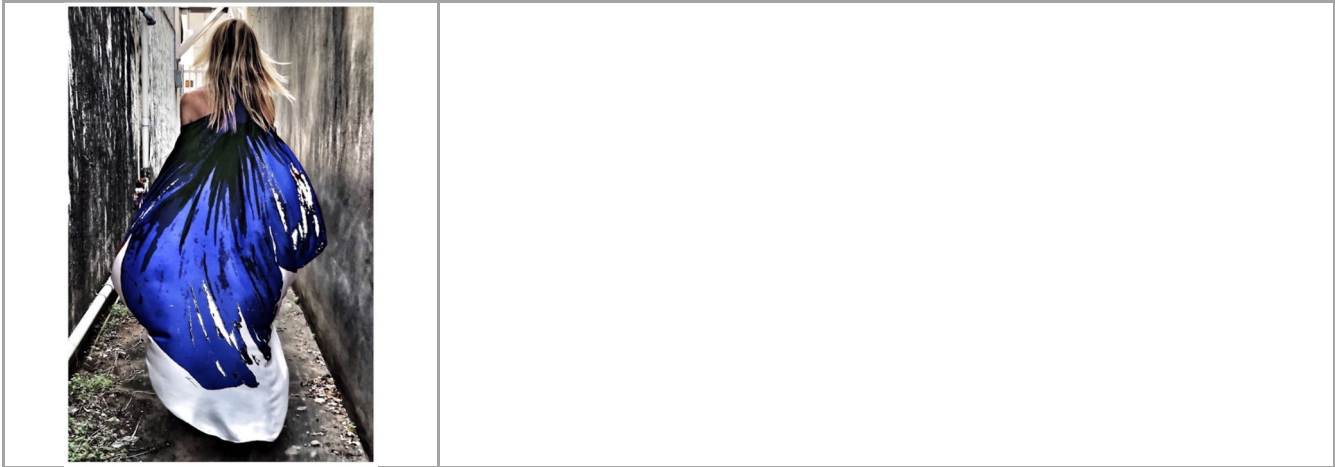


48. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted image shown below, covered by U.S. Copyright Registration VA 2-298-867, with the sale and distribution of “Letter Graphic Asymmetrical Hem Kimono.” A comparison of the copyrighted material and Defendants’ product listing is below (attached as Exhibit 2) is shown below:

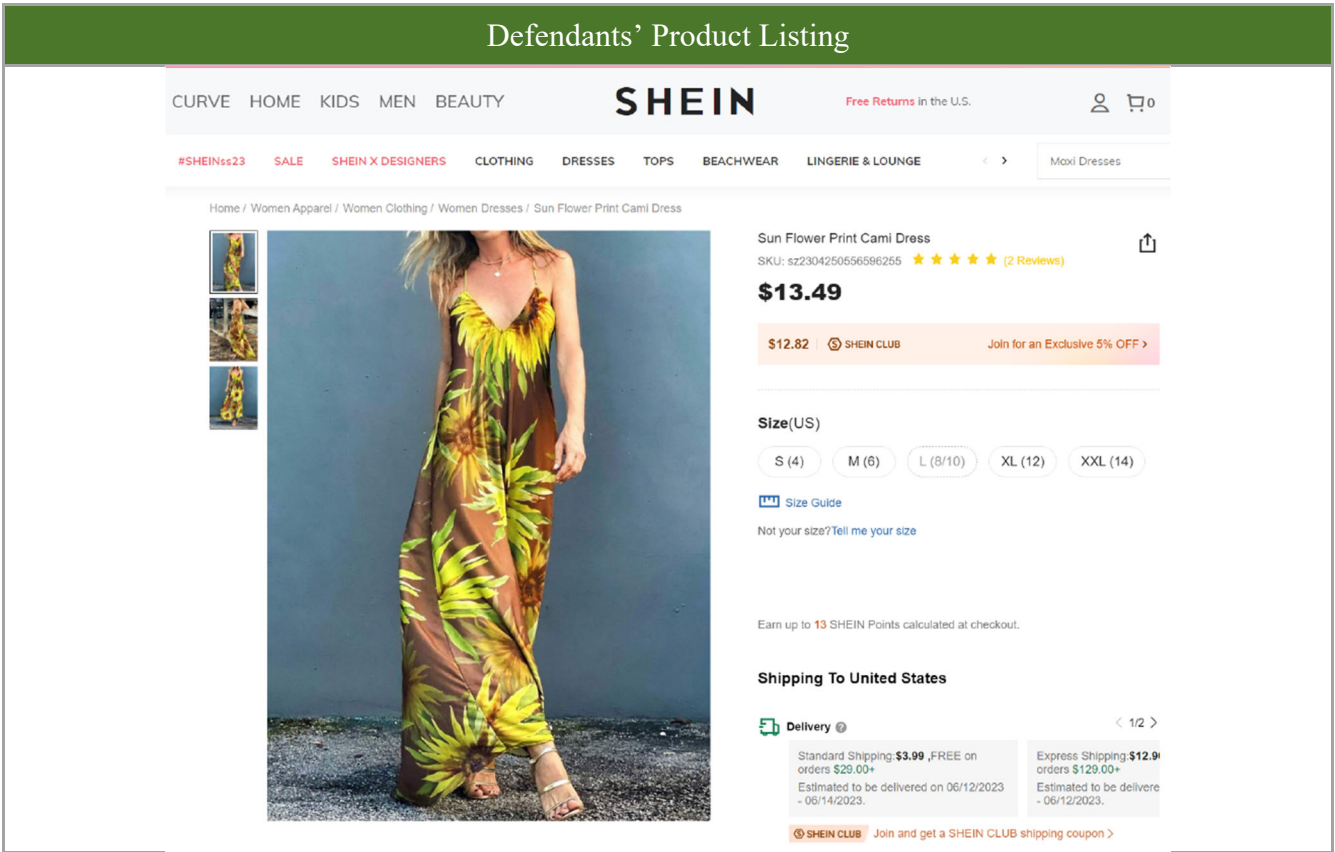


49. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the copyrighted images shown below, covered by U.S. Copyright Registration VA 2-311-821, with the sale and distribution of “Graphic Print Asymmetrical Hem Dress.” A comparison of the copyrighted material and Defendants’ product listing (attached as Exhibit 2) is shown below:





50. Specifically, with access to and knowingly without the permission or authorization of Ramona LaRue, Defendants have directly reproduced, distributed, and displayed the photographs and likenesses of Ms. Brown shown below, with the sale and distribution of “Sun Flower Print Cami Dress.” A copy of Defendants’ product listing (attached as Exhibit 2) is shown below:



**COUNT I**  
**FEDERAL COPYRIGHT INFRINGEMENT**  
**17 U.S.C. § 106 and 501**

51. Ramona LaRue repeats and incorporates by reference the allegations contained in Paragraphs 1 through 50.

52. Ramona LaRue owns the copyright registrations attached hereto as Exhibit 1. The copyright registrations are valid and enforceable.

53. The Copyright Act provides in pertinent part that “[a]nyone who violates any of the exclusive rights of the copyright owner as provided by sections 106 through 122...is an infringer of the copyright...” 17 U.S.C. § 501.

54. Defendants have infringed the Copyrighted Material by deliberately copying, reproducing, displaying, and/or creating derivative works of the Copyrighted Material on the Defendants’ product listings without Ramona LaRue’s authorization in violation of 17 U.S.C. §§ 106 and 501.

55. The Defendants’ conduct is blatant, wanton, and willful.

56. Such conduct as alleged herein has damaged Ramona LaRue in an amount to be determined at trial.

57. Defendants’ conduct has caused and will continue to cause Ramona LaRue irreparable harm for which there is no adequate remedy at law unless restrained.

58. Ramona LaRue is entitled to injunctive relief, actual damages, and to recover the profits that Defendants realize for such unauthorized conduct pursuant to 17 U.S.C. §§ 502 and 504.

**COUNT II**  
**UNAUTHORIZED PUBLICATION OF LIKENESS**  
**Fla. Stat. § 540.08**

59. Ms. Brown repeats and incorporates by reference the allegations contained in Paragraphs 1 through 58.

60. Fla. Stat. § 540.08 prohibits the unauthorized publication, printing, display, or otherwise public use for purposes of trade or for any commercial or advertising purpose the photograph or other likeness of any natural person without the person's express written or oral consent to such use.

61. Defendants have published, displayed, and otherwise publicly used photographs and the likeness of Ms. Brown for trade, commercial, or advertising purposes in an effort to promote and/or sell Defendants' copycat Ramona LaRue products and to promote the online retail services selling copycat Ramona LaRue products offered under Defendants' Website.

62. Defendants use of photographs and the likeness of Ms. Brown occurred without Ms. Brown's express written or oral consent to such use.

63. Defendants have improperly profited from the misappropriation of photographs and likeness of Ms. Brown.

64. Defendants' misappropriation of Ms. Brown's image and likeness is not limited to the images reflected in the Copyrighted Material and applies to all photographs and likenesses of Ms. Brown used in Defendants' product listings.

65. Defendants' use of the photographs and likeness of Ms. Brown as reflected in Exhibit 2 attached hereto constitute the unauthorized publication of Ms. Brown's likeness pursuant to Fla. Stat. § 540.08.

66. Ms. Brown has been damaged by Defendants' unauthorized publication of photographs and likenesses of Ms. Brown.



### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment as follows:

1. That Defendants, and each of them, and their respective agents, employees, servants, affiliates, and all persons acting for, with, or in concert with them be permanently enjoined and restrained from:

- a. reproducing, distributing copies of, making derivative works of, or publicly displaying the Copyrighted Material, photographs of Ms. Brown, or using the likeness of Ms. Brown without her consent;
- b. engaging in any conduct which will cause, or is likely to cause, confusion, mistake, deception, or misunderstanding as to source, or confusion as to the affiliation, connection, association, origin, sponsorship, or approval of Defendants' business, services, Website or other activities with Ramona LaRue;

2. That, upon Ramona LaRue's request, all in privity with Defendants and with notice of the injunction shall:

- a. cease providing services used by Defendants, currently or in the future, to sell or offer for sale goods utilizing the Ramona LaRue Copyrighted Material, photographs of Ms. Brown, or the likeness of Ms. Brown;
- b. cease displaying any advertisements in any form, connected or associated with Defendants in connection with the sale of infringing goods under the Ramona LaRue Copyrighted Material, photographs of Ms. Brown, or the likeness of Ms. Brown; and

3. That Defendants, and each of them, account to Ramona LaRue for their profits and any damages sustained by Ramona LaRue arising from their acts of infringement;

4. That Ramona LaRue be awarded damages as well as Defendants' profits under 17 U.S.C. § 504(b);

5. That Ramona LaRue be awarded reasonable attorneys' fees under 17 U.S.C. § 505, 15 U.S.C. § 1117;

6. In the alternative, that Ramona LaRue be awarded statutory damages where applicable under 17 U.S.C. § 504(c);

7. That the Defendants disgorge any profits earned by their tortious activities;

8. That Ms. Brown be awarded punitive damages pursuant to Fla. Stat. § 540.08(2);

9. That Plaintiffs be awarded pre-judgment interest as allowed by law;

10. That Plaintiffs be awarded the costs of this action;

11. That Plaintiffs be awarded its reasonable attorneys' fees incurred in connection with this action; and

12. That Plaintiffs be awarded such further legal and equitable relief as the Court deems proper.

Dated this 13th day of December, 2023

Respectfully submitted,  
Ramona LaRue, Inc. and Arianne Brown

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